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July 20, 2007

BY FAX TO (914)390-4179

Hon. Stephen C. Robinson
United States District Judge
United States District Court
300 Quarropas Street, Room 633
White Plains, NY 10601

MEMO ENDORSED

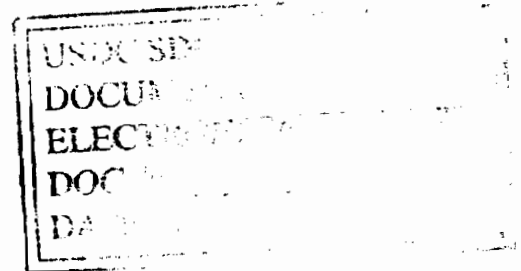
Re: Barbour, Gonzalez & Massey v. City of White Plains, et al.
07 Civ. 3014 (SCR)(MDF)

Dear Judge Robinson:

I write to request an adjournment of the Initial Case Management Conference now scheduled for July 27, 2007. I also write pursuant to the Notice of Requirement to Submit a Scheduling Order, dated April 20, 2007, in which the Court directed that the parties submit a joint letter five business days prior to the scheduled conference. I left three voicemails for defendants' counsel and faxed him a draft of this letter so that we could submit it jointly, but I have received no communication from him in response.

With regard to the request for postponement of the conference, I am scheduled to appear at a conference in the Foley Square courthouse on the morning of July 27, 2007, in consolidated litigation involving approximately 30 attorneys (Adams v. City of New York, 05 Civ. 9484 (KMK)(JCF)). Since I am unable to re-schedule that matter, I respectfully request that Your Honor postpone the conference in this case scheduled for the same morning. I will be leaving the next day for a family vacation, and will return to my office the week of August 20, 2007 (because of pre-existing obligations at the beginning of that week, my first available date is August 22, 2007).

This is a civil rights case alleging false arrest and malicious prosecution. The three plaintiffs were arrested by White Plains police officers on April 25, 2004, for assaulting police officers, obstructing governmental administration and related charges. Plaintiffs allege that they were bystanders who had merely protested the treatment of two young men, who were related to two of the plaintiffs, at the hands of police officers. The cases proceeded to trial, during which one plaintiff's case was dismissed; the two other cases ended in acquittals. Plaintiffs have alleged false arrest, excessive force and malicious prosecution under 42 U.S.C. § 1983, and state law claims of malicious prosecution. Plaintiffs do not contemplate dispositive motions, and



settlement has not yet been discussed.

Respectfully submitted,



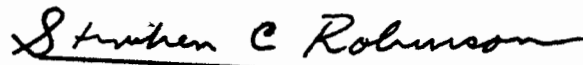
Michael L. Spiegel

MLS:ms

cc: Joseph Maria, Esq. (by fax)

Initial Conference is adjourned
to September 14, 2007
@ 10:00 am.

APPLICATION GRANTED



HON. STEPHEN C. ROBINSON

7/24/07